

nightwork preformed by an employee as part of his or her regularly scheduled administrative workweek.

Overtime work has the meaning given that term by paragraphs (a) and (d) of § 550.111, and includes irregular or occasional overtime work and regular overtime work.

Performing work in connection with an emergency means performing work that is directly related to resolving or coping with an emergency or its immediate aftermath.

Premium pay means additional pay authorized by subchapter V of chapter 55 of title 5, United States Code, and this subpart for overtime, night, holiday, or Sunday work, and for standby duty, administratively uncontrollable overtime work, or availability duty.

Rate of basic pay means the rate of pay fixed by law or administrative action for the position held by an employee, including any applicable special pay adjustment for law enforcement officers under section 404 of the Federal Employees Pay Comparability Act of 1990 (Pub. L. 101-509), locality-based comparability payment under 5 U.S.C. 5304, or continued rate adjustment under subpart G of part 531 of this chapter, before any deductions and exclusive of additional pay of any other kind.

Regular overtime work means overtime work that is part of an employee's regularly scheduled administrative workweek.

Regularly scheduled administrative workweek, for a full-time employee, means the period within an administrative workweek, established in accordance with § 610.111 of this chapter, within which the employee is regularly scheduled to work. For a part-time employee, it means the officially prescribed days and hours within an administrative workweek during which the employee is regularly scheduled to work.

Regularly scheduled work means work that is scheduled in advance of an administrative workweek under an agency's procedures for establishing workweeks in accordance with § 610.111, excluding any such work to which availability pay under § 550.181 applies.

Sunday work means nonovertime work performed by a full-time em-

ployee during a regularly scheduled daily tour of duty when any part of that daily tour of duty is on a Sunday. For any such tour of duty, not more than 8 hours of work are Sunday work, unless the employee is on a compressed work schedule, in which case the entire regularly scheduled daily tour of duty constitutes Sunday work.

Tour of duty means the hours of a day (a daily tour of duty) and the days of an administrative workweek (a weekly tour of duty) that constitute an employee's regularly scheduled administrative workweek.

[33 FR 12458, Sept. 4, 1968, as amended at 48 FR 3933, Jan. 28, 1983; 56 FR 11059, Mar. 15, 1991; 56 FR 20341, May 3, 1991; 57 FR 2434, Jan. 22, 1992; 57 FR 31630, July 17, 1992; 58 FR 3201, Jan. 8, 1993; 59 FR 66151, Dec. 23, 1994; 60 FR 33098, June 27, 1995; 60 FR 67287, Dec. 29, 1995; 61 FR 3542, Feb. 1, 1996]

MAXIMUM EARNINGS LIMITATIONS

§ 550.105 Biweekly maximum earnings limitation.

(a) Except as provided in paragraph (b) of this section, an employee may be paid premium pay under this subpart only to the extent that the payment does not cause the total of his or her basic pay and premium pay for any pay period to exceed the maximum rate for GS-15, including—

(1) A locality-based comparability payment under 5 U.S.C. 5304; and

(2) A special salary rate established under 5 U.S.C. 5305.

(b) This section does not apply to—

(1) Any pay period during which an employee has been determined to be performing work in connection with an emergency under § 550.106(a);

(2) An employee of the Federal Aviation Administration or the Department of Defense who is paid premium pay under 5 U.S.C. 5546a; or

(3) A law enforcement officer.

[56 FR 11059, Mar. 15, 1991, as amended at 57 FR 31630, July 17, 1992; 58 FR 3201, Jan. 8, 1993; 61 FR 3542, Feb. 1, 1996]

§ 550.106 Annual maximum earnings limitation for work in connection with an emergency.

(a) For any pay period in which the head of an agency, his or her designee, or the Office of Personnel Management on its own motion determines that an